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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/727,991	LIU, CHUNG
	Examiner	Art Unit	
	HUSSEIN A. EL CHANTI	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 August 2008</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>28-41</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>28-41</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to RCE received on August 29, 2008. Claims 28 and 3

were amended. Claims 28-41 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

2.   Claims 28-30, 32-37 and 39-41 are rejected under 35 U.S.C. 102(e) as being

anticipated by Donatelli et al., U.S. Patent No. 7,085,822 (referred to hereafter as

Donatelli).

As to claim 28, Donatelli teaches a method of updating a plurality of applications

on an electronic device "Palm Pilot 26" from a content server "management server 10"

through a host device "endpoint 14" (see fig. 2), comprising the steps of:

providing a plurality of conduits in pairs for specific applications for

communications between said host device and said electronic device and between said

host device and said content server on said host device (see col. 4 lines 14-25 and lines

36-col. 5 lines 12, a plurality of conduits are installed on device 14 to provide updates

between server 10 and device 26);

at a time when said electronic device is not coupled to said host device, actuating

said conduits for comparing versions of applications stored by said host device with

current versions of corresponding applications on said content server to determine

newer versions of such applications reside on said content server (see col. 4 lines 14-

59, the new updated files are downloaded from the server to the device 14, after the

controller 28 is installed then devices 26 may connect and download updates, therefore

files are downloaded when device 26 is not connected to device 14), ,

passing user identification information regarding the electronic device to the

content server (see col. 5 lines 14-32, identification information of devices 26 are

passed to the server 10);

conduits communicating user identification information regarding the electronic

device to the content server (see col. 5 lines 14-32, identification information includes

user ID);

storing said newer versions from said content server on said host device (see

col. 5 lines 49-58, files are copied from server 10 to device 26); and

at a time when said electronic device is actuated for synchronization, actuating

said conduits to extract and install said newer versions from said host device on said

electronic device (see col. 5 lines 1-13, col. 6 lines 4-17 and lines 21-25 and lines 32-

36, the files to be synchronized are determined and installed on the device);

wherein the newer versions of the applications are personalized for the electronic

device based on the user identification information (see col. 5 lines 54-61, the files are

personalized based on the user.dat which includes information such as user ID and desktop ID).

As to claim 29, Donatelli teaches a method according to claim 28 wherein said electronic device comprises a device with a screen (see col. 4 lines 36-42, PALM VII inherently includes a screen).

As to claim 30, Donatelli teaches a method according to claim 28 wherein said electronic device comprises a personal digital assistant (see col. 4 lines 36-42).

As to claim 31, Donatelli teaches a method according to claim 28 wherein said electronic device comprises a palm top computer (see col. 4 lines 36-42).

As to claim 33, Donatelli teaches a method according to claim 28 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 4 lines 13-25 and fig. 2, server 10 is a remote server).

As to claim 34, Donatelli teaches a system for providing updated applications with reference to a content server "server 10", using a host device "device 14" and comprising:

an electronic device "device 26" for providing application information to a user (see fig. 2);

providing a plurality of conduits in pairs for specific applications for communications between said host device and said electronic device and between said host device and said content server on said host device (see col. 4 lines 14-25 and lines

36-col. 5 lines 12, a plurality of conduits are installed on device 14 to provide updates

between server 10 and device 26);

at a time when said electronic device is not coupled to said host device, actuating

said conduits for comparing versions of applications stored by said host device with

current versions of corresponding applications on said content server to determine

newer versions of such applications reside on said content server (see col. 4 lines 14-

59, the new updated files are downloaded from the server to the device 14, after the

controller 28 is installed then devices 26 may connect and download updates, therefore

files are downloaded when device 26 is not connected to device 14), ,

passing user identification information regarding the electronic device to the

content server (see col. 5 lines 14-32, identification information of devices 26 are

passed to the server 10);

conduits communicating user identification information regarding the electronic

device to the content server (see col. 5 lines 14-32, identification information includes

user ID);

storing said newer versions from said content server on said host device (see

col. 5 lines 49-58, files are copied from server 10 to device 26); and

at a time when said electronic device is actuated for synchronization, actuating

said conduits to extract and install said newer versions from said host device on said

electronic device (see col. 5 lines 1-13, col. 6 lines 4-17 and lines 21-25 and lines 32-

36, the files to be synchronized are determined and installed on the device);

wherein the newer versions of the applications are personalized for the electronic device based on the user identification information (see col. 5 lines 54-61, the files are personalized based on the user.dat which includes information such as user ID and desktop ID).

As to claim 35, Donatelli teaches a system according to claim 34 wherein said electronic device comprises a device with a display screen (see col. 4 lines 36-42).

As to claim 36, Donatelli teaches a system according to claim 34 wherein said electronic device comprises a personal digital assistant (see col. 4 lines 36-42).

As to claim 37, Donatelli teaches a system according to claim 34 wherein said electronic device comprises a palm top computer system (see col. 4 lines 36-42).

As to claim 39, Donatelli teaches a system according to claim 34 wherein said content server comprises at least one of the following:

a remote server computer system; a remote computer system; or a computer directly connected to said host device (see col. 4 lines 13-25 and fig. 2, server 10 is a remote server).

As to claim 40, Donatelli teaches the method of claim 28 wherein the content server dynamically generates an updated application that is personalized (see col. 4 lines 60-col. 5 lines 12, each device has a set of files to be updated which are personalized based on the identification information).

As to claim 41, Donatelli teaches the system of claim 34 wherein the content server dynamically generates an updated application that is personalized (see col. 4

lines 60-col. 5 lines 12, each device has a set of files to be updated which are

personalized based on the identification information).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 32 and 38 rejected under 35 U.S.C. 103(a) as being unpatentable over

Donatelli in view of Varadharajan et al., U.S. Patent No. 5,887,063 (referred to hereafter

as Varad).

As to claims 32 and 38, Donatelli teaches a method and system of updating a

plurality of applications on an electronic device "Palm Pilot 26" from a content server

"management server 10" through a host device "endpoint 14" (see fig. 2). Donatelli does

not explicitly teach that the method and system includes a cradle for communication

with said host device.

However, Varad teaches a system and method including a host device that

communicates with a portable device when the portable device is placed on a cradle adj

to the host device (see col. 3 lines 5-8).

It would have been obvious for one of the ordinary skill in the art at the time of

the invention to modify the method and system of Doantelli by using a cradle to

communicate between device 14 and device 26 when device 26 is placed on the cradle

as taught by Varad. Motivation to do so comes from the knowledge well known in the art

that using a cradle which is directly connected to a host device would make it easier for the host device and the portable device to communicate through a direct cable connection which makes the communication both fast and secure.

4.   Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein Elchanti/

Sep. 29, 2008